

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:

Confirmation Number: 6434

Lienert *et al.*

Application No.: 10/511,172

Group Art Unit: Unassigned

Filed: April 14, 2003

Examiner: Unassigned

Title: MICROCAPSULES FOR THE PRODUCTION OF STORAGE-STABLE UNSATURATED POLYMER COMPOSITIONS

August 2, 2006

**PETITION TO WITHDRAW HOLDING OF
ABANDONMENT PURSUANT TO 37 C.F.R. §1.181(a)**

Mail Stop Petitions

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This petition is in response to the "Notice of Abandonment" (alleged failure to respond to the Notification of Missing Requirements mailed March 9, 2005) dated July 17, 2006, with respect to the above-identified patent application. Pursuant to the provisions of 37 C.F.R. §1.181(a), the applicants hereby respectfully request the withdrawal of the holding of abandonment of U.S. Patent Application No. 10/511,172. The applicants submit that the application is not abandoned.

Enclosed (as Exhibit A) is a copy of the applicants' response to the Notification of Missing Requirements. All documents set forth under Exhibit A were submitted March 16, 2005. As proof that the applicants' response was properly filed with the USPTO, enclosed (as Exhibit B) is a copy of the Auto-Reply Facsimile Transmission confirming receipt by the USPTO of the applicants' facsimile transmission of March 16, 2005. Lastly, as further evidence

of the applicants' intention not to abandon the above-identified application, the applicants submit (as Exhibit C) a copy of a status inquiry dated April 28, 2006 and the Auto-Reply Facsimile Transmission confirming receipt by the USPTO of the applicants' facsimile transmission of April 28, 2006.

In view of the foregoing, the applicants submit that the present application is not abandoned. Accordingly, the applicants request that the holding of abandonment be immediately withdrawn.

The applicants submit that although no fee is due for consideration of the present application in that the application is not abandoned and the petition has been presented under 37 C.F.R. § 1.181(a), should the USPTO determine that a fee is due for presentation of this request, the Patent Office is authorized to charge said fee to Deposit Account No. 03-3975, under Order No. 007376-0312476. Should the USPTO have any questions or concerns regarding this petition, the undersigned may be contacted at the number indicated below.

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN LLP



Thomas A. Cawley, Jr., Ph.D.

Reg. No. 40,944

Tel. No. (703) 770-7944

Fax No. (703) 770-7901

TAC/JCL
P.O. Box 10500
McLean, VA 22102
(703) 770-7900

Exhibit A

Attorney Docket No.: 007376-0312476

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:
Lienert et al.

Confirmation No: 6434

Application No.: 10/511,172

Group Art Unit: Unassigned

Filed: April 14, 2003

Examiner: Unassigned

Title: Microcapsules for the Production of Storage-Stable Unsaturated Polymer Compositions

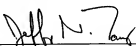
**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

**CERTIFICATION OF FACSIMILE TRANSMISSION
UNDER 37 C.F.R. § 1.8**

I hereby certify that the following papers, consisting of 13 pages including this cover sheet, are being facsimile transmitted to the Patent and Trademark Office at 703.746.4060 on the date shown below:

1. Response to Notification of Missing Requirements (1 page)
2. Copy of Notification of Missing Requirements (2 pages)
3. Fee Transmittal (1 page)
4. Declarations Executed by the Inventors (8 pages)

PILLSBURY WINTHROP LLP



JEFFREY N. TOWNES
Reg. No. 47,142

Date: March 16, 2005

P.O. Box 10500
McLean, VA 22102
Telephone: 703.905.2000
Facsimile: 703.905.2500

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:
KLAUS-WILHELM LIENERT ET AL.

Application No.: 10/511,172

Confirmation No: 6434

Filed: April 14, 2003

Group Art Unit: Unassigned

Examiner: Unassigned

Title: Microcapsules for the Production of Storage-Stable Unsaturated Polymer Compositions

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

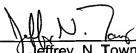
Sir:

In response to the Notification of Missing Requirements mailed March 9, 2005, a copy of which is enclosed, Applicants herewith submit the following:

1. Executed Combined Declaration and Power of Attorney of Inventors
2. Fee Transmittal

Respectfully submitted,

PILLSBURY WINTHROP LLP

By 
Jeffrey N. Townes
Registration No. 47,142

Date: March 16, 2005

P.O. Box 10500
McLean, VA 22102
Customer No.: 00909

COPY



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

| | | |
|---|--|------------------------------------|
| U.S. APPLICATION NUMBER NO. 10/511,172 | FIRST NAMED APPLICANT Klaus-Wilhelm Lienert | ATTY. DOCKET NO. 007376-0312476 |
| INTERNATIONAL APPLICATION NO. PCT/EP03/03836 | | |
| LA. FILING DATE 04/14/2003 | PRIORITY DATE 04/15/2002 | |

909
 PILLSBURY WINTHROP, LLP
 P.O. BOX 10500
 MCLEAN, VA 22102

COPY

CONFIRMATION NO. 6434
 371 FORMALITIES LETTER



OC000000015387118

Date Mailed: 03/09/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/13/2004
- Copy of the International Search Report filed on 10/13/2004
- Copy of IPE Report filed on 10/13/2004
- Preliminary Amendments filed on 10/13/2004
- Information Disclosure Statements filed on 10/13/2004
- Request for Immediate Examination filed on 10/13/2004
- U.S. Basic National Fees filed on 10/13/2004
- Priority Documents filed on 10/13/2004

RECEIVED
 PILLSBURY WINTHROP LLP/VA

MAR 11 2005

CL 07376 MT# 0312476
 ATTY(S) ABULJALIL
 DUE: 5-4-05
 DKT BY (1) LA (2) MS

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- \$130 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE

DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/511,172 | PCT/EP03/03836 | 007376-0312476 |

FORM PCT/DO/EQ/905 (371 Formalities Notice)

COPY

COPY

PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Patentwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/09/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 130

Complete if Known

| | |
|----------------------|----------------|
| Application Number | 10/511,172 |
| Filing Date | April 14, 2003 |
| First Named Inventor | Lienert |
| Examiner Name | Unassigned |
| Art Unit | Unassigned |
| Attorney Docket No. | 007376-0312476 |

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 033975 Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayments of fee(s) ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid (\$) |
|------------------|-------------|--------------|-------------|--------------|------------------|--------------|----------------|
| | Fee (\$) | Small Entity | Fee (\$) | Small Entity | Fee (\$) | Small Entity | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | _____ |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | _____ |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | _____ |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | _____ |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | _____ |

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues)

| Fee (\$) | Small Entity |
|----------|--------------|
| 50 | 25 |
| 200 | 100 |
| 360 | 180 |

Each independent claim over 3 (including Reissues)

Multiple dependent claims

| | | | |
|--------------|--------------|----------|---------------|
| Total Claims | Extra Claims | Fee (\$) | Fee Paid (\$) |
| _____ | _____ | _____ | _____ |

- 20 or HP = _____ x _____ = _____

HP = highest number of total claims paid for, if greater than 20.

| | | | |
|---------------|--------------|----------|---------------|
| Indep. Claims | Extra Claims | Fee (\$) | Fee Paid (\$) |
| _____ | _____ | _____ | _____ |

- 3 or HP = _____ x _____ = _____

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| | | | | |
|--------------|--------------|--|----------|---------------|
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
| _____ | _____ | _____ | _____ | _____ |

- 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Fees Paid (\$)

Other (e.g., late filing surcharge): late oath surcharge _____

130

SUBMITTED BY

Signature Jeffrey N. Townes

Registration No. (Attorney/Agent) 47,142

Telephone 703.905.2000

Name (Print/Type) Jeffrey N. Townes

Date March 16, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

FOR PCT
NATIONAL PHASE
ORIGINAL
DECLARATION

RULE 63 (37 C.F.R. 1.63)
DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the **INVENTION ENTITLED Microcapsules for the Production of Storage-Stable Unsaturated Polymer Compositions**, the specification of which was filed as U.S. Application No. 10/511,172 on October 13, 2004.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. Except as noted below, I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International Application which designated at least one other country than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International Application, filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing date of this application.

PRIOR FOREIGN APPLICATION(S)

| Number | Country | Filed | Date First Laid Open Or Published | Date Patented or Granted | Priority Claimed |
|--------------|---------|----------------|--------------------------------------|-----------------------------|---------------------|
| 102 16 550.5 | Germany | April 15, 2002 | | | Yes |

Except as noted below, I hereby claim domestic priority benefit under 35 U.S.C. 119(e) or 120 and/or 365(c) of the indicated United States applications listed below and PCT International applications listed above or below and, if this is a continuation-in-part (CIP) application, insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of each such prior application and the national or PCT International filing date of this application:

PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S)

| Application Number | Filed | Status | Priority Claimed |
|--------------------|----------------|------------------------------|------------------|
| PCT/EP03/03836 | April 14, 2003 | pending, abandoned, patented | Yes |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint Pillsbury Winthrop LLP, Intellectual Property Group, (to whom all communications are to be directed), and persons of that firm who are associated with USPTO Customer No. 00909 individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to delete from that Customer No. names of persons no longer with their firm, to add new persons of their firm to that Customer No., and to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/whichever first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct the above firm and/or an attorney of that firm in writing to the contrary.

Power of Attorney to Customer Number

00909

INVENTOR'S SIGNATURE:

Date: Nov 12th 2004

| | | | | |
|-----------------|---|-----------------------------|------------------------|--|
| Name | KLAUS-WILHELM | | LIENERT | |
| | First | Middle Initial | Family Name | |
| Residence | Hamburg | Federal Republic of Germany | Germany | |
| | City | State/Foreign Country | Country of Citizenship | |
| Mailing Address | Bernadottestr. 54, 22763 Hamburg, Federal Republic of Germany | | | |

INVENTOR'S SIGNATURE:

Date:

| | | | | |
|-----------------|--|-----------------------------|------------------------|--|
| Name | GUNTER | | HEGEMANN | |
| | First | Middle Initial | Family Name | |
| Residence | Hamburg | Federal Republic of Germany | Germany | |
| | City | State/Foreign Country | Country of Citizenship | |
| Mailing Address | Andreasstr. 23, 22301 Hamburg, Federal Republic of Germany | | | |

COPY

INVENTOR'S SIGNATURE:

Date:

| | | | |
|-----------------|------------------------------|-----------------------|------------------------|
| Name | WILLIAM | D | DUNBAR |
| | First | Middle Initial | Family Name |
| Residence | Ghent | NY | United States |
| | City | State/Foreign Country | Country of Citizenship |
| Mailing Address | P.O. Box 71, Ghent, NY 12075 | | |

INVENTOR'S SIGNATURE:

Date:

| | | | |
|-----------------|---|-----------------------|------------------------|
| Name | IVAN | | SHEIHAM |
| | First | Middle Initial | Family Name |
| Residence | Buckinghamshire | Great Britain | Great Britain |
| | City | State/Foreign Country | Country of Citizenship |
| Mailing Address | Wynnstey Gardens, Marlow, Buckinghamshire, SL 7 3 NR, Great Britain | | |

INVENTOR'S SIGNATURE:

Date:

| | | | |
|-----------------|---------------------------------|-----------------------|------------------------|
| Name | TIMOTHY | EDWARD | BANACH |
| | First | Middle Initial | Family Name |
| Residence | Scotia | NY | United States |
| | City | State/Foreign Country | Country of Citizenship |
| Mailing Address | 26 Cedar Lane, Scotia, NY 12302 | | |

Atty. Dkt. No. 007376-0312476

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FOR PCT
NATIONAL PHASE
ORIGINAL
DECLARATION

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| Number | Country | Filed | Date First Laid Open Or Published | Date Patented or Granted | Priority Claimed |
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And I hereby appoint Pillsbury Winthrop LLP, Intellectual Property Group, (to whom all communications are to be directed), and persons of that firm who are associated with USPTO Customer No. 00909 individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to delete from that Customer No. names of persons no longer with their firm, to add new persons of their firm to that Customer No., and to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/whom first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct the above firm and/or an attorney of that firm in writing to the contrary.

Power of Attorney to Customer Number

00909

| | | | |
|-----------------------|--|-----------------------------|------------------------|
| INVENTOR'S SIGNATURE: | | Date: | |
| Name | KLAUS-WILHELM | LIENERT | |
| | First | Middle Initial | Family Name |
| Residence | Hamburg | Federal Republic of Germany | Germany |
| | City | State/Foreign Country | Country of Citizenship |
| Mailing Address | Bernadotterstr. 54, 22763 Hamburg, Federal Republic of Germany | | |

| | | | |
|-----------------------|---|-----------------------------|------------------------|
| INVENTOR'S SIGNATURE: | | Date: 12.11.2004 | |
| Name | GUNTER | HEGEMANN | |
| | First | Middle Initial | Family Name |
| Residence | Hamburg | Federal Republic of Germany | Germany |
| | City | State/Foreign Country | Country of Citizenship |
| Mailing Address | Andreastr. 23, 22301 Hamburg, Federal Republic of Germany | | |

COPY

INVENTOR'S SIGNATURE:

Date:

| | | | |
|-----------------|------------------------------|-----------------------|------------------------|
| Name | WILLIAM | D | DUNBAR |
| | First | Middle Initial | Family Name |
| Residence | Ghent | NY | United States |
| | City | State/Foreign Country | Country of Citizenship |
| Mailing Address | P.O. Box 71, Ghent, NY 12075 | | |

INVENTOR'S SIGNATURE:

Date:

| | | | |
|-----------------|---|-----------------------|------------------------|
| Name | IVAN | | SHEIHAM |
| | First | Middle Initial | Family Name |
| Residence | Buckinghamshire | Great Britain | Great Britain |
| | City | State/Foreign Country | Country of Citizenship |
| Mailing Address | Wynnstay Gardens, Marlow, Buckinghamshire, SL 7 3 NR, Great Britain | | |

INVENTOR'S SIGNATURE:

Date:

| | | | |
|-----------------|---------------------------------|-----------------------|------------------------|
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| | First | Middle Initial | Family Name |
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| | City | State/Foreign Country | Country of Citizenship |
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And I hereby appoint Pillsbury Winthrop LLP, Intellectual Property Group, (to whom all communications are to be directed), and persons of that firm who are associated with USPTO Customer No. 00909 individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to delete from that Customer No. names of persons no longer with their firm, to add new persons of their firm to that Customer No., and to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct the above firm and/or an attorney of that firm in writing to the contrary.

Power of Attorney to Customer Number

00909

COPY

INVENTOR'S SIGNATURE:

Date:

| | | | |
|-----------------|---|--------------------------------|------------------------|
| Name | KLAUS-WILHELM | | LIENERT |
| | First | Middle Initial | Family Name |
| Residence | Hamburg | Federal Republic of Germany | Germany |
| | City | State/Foreign Country | Country of Citizenship |
| Mailing Address | Bernadottestr. 54, 22763 Hamburg, Federal Republic of Germany | | |

INVENTOR'S SIGNATURE:

Date:

| | | | |
|-----------------|--|--------------------------------|------------------------|
| Name | GUNTER | | HEGEMANN |
| | First | Middle Initial | Family Name |
| Residence | Hamburg | Federal Republic of Germany | Germany |
| | City | State/Foreign Country | Country of Citizenship |
| Mailing Address | Andreasstr. 23, 22301 Hamburg, Federal Republic of Germany | | |

INVENTOR'S SIGNATURE: *William D. Dunbar*Date: *11.8.04*

| | | | |
|-----------------|------------------------------|-----------------------|------------------------|
| Name | WILLIAM | D | DUNBAR |
| | First | Middle Initial | Family Name |
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| Mailing Address | P.O. Box 71, Ghent, NY 12075 | | |

INVENTOR'S SIGNATURE:

Date:

| | | | |
|-----------------|---|-----------------------|------------------------|
| Name | IVAN | | SHEIHAM |
| | First | Middle Initial | Family Name |
| Residence | Buckinghamshire | Great Britain | Great Britain |
| | City | State/Foreign Country | Country of Citizenship |
| Mailing Address | Wynnstay Gardens, Marlow, Buckinghamshire, SL 7 3 NR, Great Britain | | |

INVENTOR'S SIGNATURE: *Timothy E. Banach*Date: *11/15/04*

| | | | |
|-----------------|---------------------------------|-----------------------|------------------------|
| Name | TIMOTHY | EDWARD | BANACH |
| | First | Middle Initial | Family Name |
| Residence | Scotia | NY | United States |
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| Mailing Address | 26 Cedar Lane, Scotia, NY 12302 | | |

Atty. Dkt. No. 007376-0312476

COPY

FOR PCT
NATIONAL PHASE
ORIGINAL
DECLARATION

RULE 63 (37 C.F.R. 1.63)
DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the **INVENTION ENTITLED Microcapsules for the Production of Storage-Stable Unsaturated Polymer Compositions**, the specification of which was filed as U.S. Application No. 10/511,172 on October 13, 2004.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. Except as noted below, I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International Application which designated at least one other country than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International Application, filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing date of this application:

PRIOR FOREIGN APPLICATION(S)

| Number | Country | Filed | Date First Laid Open Or Published | Date Patented or Granted | Priority Claimed |
|--------------|---------|----------------|-----------------------------------|--------------------------|------------------|
| 102 16 550.5 | Germany | April 15, 2002 | | | Yes |

Except as noted below, I hereby claim domestic priority benefit under 35 U.S.C. 119(e) or 120 and/or 365(c) of the indicated United States applications listed below and PCT International applications listed above or below and, if this is a continuation-in-part (CIP) application, insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of each such prior application and the national or PCT International filing date of this application:

PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S)

| Application Number | Filed | Status | Priority Claimed |
|--------------------|----------------|------------------------------|------------------|
| PCT/EP03/03836 | April 14, 2003 | pending, abandoned, patented | Yes |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint Pillsbury Winthrop LLP, Intellectual Property Group, (to whom all communications are to be directed), and persons of that firm who are associated with USPTO Customer No. 00909 individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to delete from that Customer No. names of persons no longer with their firm, to add new persons of their Firm to that Customer No., and to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct the above Firm and/or an attorney of that Firm in writing to the contrary.

Power of Attorney to Customer Number

00909

COPY

INVENTOR'S SIGNATURE:

Date:


| | | | |
|-----------------|---|-----------------------------|------------------------|
| Name | KLAUS-WILHELM | LIENERT | |
| | First | Middle Initial | Family Name |
| Residence | Hamburg | Federal Republic of Germany | Germany |
| | City | State/Foreign Country | Country of Citizenship |
| Mailing Address | Bernadottestr. 54, 22763 Hamburg, Federal Republic of Germany | | |

INVENTOR'S SIGNATURE:

Date:

| | | | |
|-----------------|--|-----------------------------|------------------------|
| Name | GUNTER | HEGEMANN | |
| | First | Middle Initial | Family Name |
| Residence | Hamburg | Federal Republic of Germany | Germany |
| | City | State/Foreign Country | Country of Citizenship |
| Mailing Address | Andreasstr. 23, 22301 Hamburg, Federal Republic of Germany | | |

| | | | |
|-----------------------|------------------------------|-----------------------|------------------------|
| INVENTOR'S SIGNATURE: | | Date: | |
| Name | WILLIAM | D | DUNBAR |
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| | | | |
|---|---|--------------------------|------------------------|
| INVENTOR'S SIGNATURE:  | | Date: 11 November 2004 X | |
| Name | IVAN | | SHEIHAM |
| | First | Middle Initial | Family Name |
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| | City | State/Foreign Country | Country of Citizenship |
| Mailing Address | Wynnstey Gardens, Marlow, Buckinghamshire, SL 7 3 NR, Great Britain | | |

| | | | |
|-----------------------|---------------------------------|-----------------------|------------------------|
| INVENTOR'S SIGNATURE: | | Date: | |
| Name | TIMOTHY | EDWARD | BANACH |
| | First | Middle Initial | Family Name |
| Residence | Scotia | NY | United States |
| | City | State/Foreign Country | Country of Citizenship |
| Mailing Address | 26 Cedar Lane, Scotia, NY 12302 | | |

Atty. Dkt. No. 007376-0312476

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Exhibit B

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03-16-01 09:35 Free-Will Inquiry Winthrop LLP 703-605-1550 1-427 P.001 P-428

Attorney Docket No.: 007376-0312476

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:
Lienart et al.

Confirmation No.: 6434

Application No.: 10/511,172

Group Art Unit: Unassigned

Filed: April 14, 2003

Examiner: Unassigned

Title: Microcapsules for the Production of Storage-Stable Unsaturated Polymer Compositions

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATION OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.8

I hereby certify that the following papers, consisting of 13 pages including this cover sheet, are being facsimile transmitted to the Patent and Trademark Office at 703.746.4060 on the date shown below:

1. Response to Notification of Missing Requirements (1 page)
2. Copy of Notification of Missing Requirements (2 pages)
3. Fee Transmittal (1 page)
4. Declarations Executed by the Inventors (8 pages)

PILLSBURY WINTHROP LLP


JEFFREY N. TOWNES
Reg. No. 47,142

Date: March 16, 2005

P.O. Box 10500
McLean, VA 22102
Telephone: 703.905.2000
Facsimile: 703.905.2500

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Exhibit C

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04-28-2006 11:07am From:PILLSBURY WINTHROP 4703-905-2500 T-000 P.001/002 F-013

Attorney Reference No.: 007376-0312476

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:
LIENEAT, ET AL.,

Confirmation No: 6434

Application No.: 10/511,172

Group Am Unit: Unassigned

Filed: April 14, 2003

Examiner: Unassigned

Title: MICROCAPSULES FOR THE PRODUCTION OF STORAGE-STABLE UNSATURATED POLYMER COMPOSITIONS

Commissioners for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATION OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.8

I hereby certify that the following papers, consisting of 2 pages including this cover sheet, are being facsimile transmitted to the Patent and Trademark Office at 571.273.8300 on the date shown below:

(1) Status Inquiry

PILLSBURY WINTHROP SHAW PITTMAN LLP


JEFFREY N. TOWNES
Reg. No. 47,142

Date: April 28, 2006

P.O. Box 10500
McLean, VA 22102
Telephone: 703.770.7900
Facsimile: 703.770.7901

00703453v1

PAGE 12 / RCVO AT 4/28/2006 11:09:29 AM [Eastern Daylight Time] / SRC:RPT04703453 / DNS:2738300 / CSD:4703 905 2500 / DURATION:00:00:46

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Attorney Reference No.: 007376-0312476

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:
LIENERT, ET AL.

Confirmation No: 6434

Application No.: 10/511,172

Group Art Unit: Unassigned

Filed: April 14, 2003

Examiner: Unassigned

Title: MICROCAPSULES FOR THE PRODUCTION OF STORAGE-STABLE UNSATURATED POLYMER COMPOSITIONS

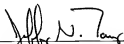
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**CERTIFICATION OF FACSIMILE TRANSMISSION
UNDER 37 C.F.R. § 1.8**

I hereby certify that the following papers, consisting of 2 pages including this cover sheet, are being facsimile transmitted to the Patent and Trademark Office at 571.273.8300 on the date shown below:

(1) Status Inquiry

PILLSBURY WINTHROP SHAW PITTMAN LLP



JEFFREY N. TOWNES
Reg. No. 47,142

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: LIENERT, ET AL.

Confirmation No.: 6434

Application No.: 10/511,172

Group No.: Unassigned

Filed: April 14, 2003

Examiner: Unassigned

Title: MICROCAPSULES FOR THE PRODUCTION OF STORAGE-STABLE UNSATURATED POLYMER COMPOSITIONS

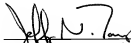
**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

STATUS INQUIRY

The above-identified patent application was filed on April 14, 2003 and entered the U.S. national phase on October 13, 2004. To date, Applicants have not received a first action on the merits. Applicants respectfully request to be apprised of the status of the application.

Date: April 28, 2006

**PILLSBURY WINTHROP LLP
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Signature of Practitioner
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